

## **REMARKS**

The Office Action dated January 16, 2007, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 2-4, 9, 11 and 13-22 are pending and respectfully submitted for consideration.

### **Interview**

The Applicants wish to thank the Examiner for the interview granted on April 19, 2007. In the interview, the differences between claim 2 and the Mueller et al. (U.S. Patent No. 5,235,509, "Mueller") reference were discussed. As a result of the interview, the Examiner indicated that further consideration would be given to the pending claims. As such, the claims have not been amended in this Response.

### **Rejections Under 35 U.S.C. § 102**

Claims 2-4, 9, 11 and 13-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mueller. Claims 4 and 14 depend from claim 2 and claim 13 depends from claim 3. The Applicants traverse the rejection and respectfully submit that claims 2-4, 9, 11 and 13-22 recite subject matter that is neither disclosed nor suggested by Mueller.

All of independent claims 2, 3, 9, 11, 15 and 19-22 recite a touch panel laid out integrally in an initially displayed screen, the touch panel including a ten key unit for entering a quantity of the set [of articles] to be ordered. The Office Action asserted that "[in] Mueller Figure 7 and Figure 8[,] both inputting screen and account screens are clearly depicted respectively." See page 6, lines 23-24 of the Office Action.

In the present application, the ten key unit is shown in Fig. 1 as reference numeral 11 identifying keys numbered 0-9. Mueller does not disclose or suggest a ten

key unit for entering a quantity of the set [of articles] to be ordered. In contrast, Mueller merely discloses that a processor counts the number of items ordered from a primary category. See column 3, lines 59-61 of Mueller. Further, Mueller discloses that after selection of an item, the same menu screen remains displayed on the screen, awaiting the next customer input. See column 13, lines 43-45 of Mueller. A total screen is displayed on the customer monitor itemizing the items ordered and the total amount due. See column 14, lines 2-4 of Mueller. Thus, the customer must continually press the menu item until the desired number of menu items is selected. As such, there is no disclosure or suggestion of a touch panel laid out integrally in an initially displayed screen, the touch panel including a ten key unit for entering a quantity of the set to be ordered, as recited in each of claims 2, 3, 9, 11, 15 and 19-22.

Independent claims 2, 3, 9, 11, 15, 19, 20 and 22 further recite, in part, an item key unit formed of a plurality of keys for every item including an item of a predetermined set of articles being a combination of a base item and at least one optional item. Mueller does not disclose any item key that includes a predetermined set of articles. All of the keys in Mueller are for single menu items. The Office Action asserted in the Response to Arguments Section of the Office Action, that Mueller, Fig. 13, items 276-278 discloses “[s]et of articles being a combination of a base item is very clearly shown on the special order option where special articles can be ordered.” See page 6, lines 17-19 of the Office Action. However, the Applicants respectfully submit that the special order option in Mueller is not part of “an item key unit including a predetermined set of articles.” In claims 2, 3, 9, 11, 19, 20 and 22, one key contains a predetermined set of articles. In contrast, the special order option in Mueller is only activated by selection of a

single menu item or article, not set of, menu items or articles. Further, the special order option is not part of the integrally displayed screen including an item key unit including an item of a predetermined set of articles. As such, Mueller fails to disclose or suggest at least the feature of an item key unit formed of a plurality of keys for every item including an item of a predetermined set of articles being a combination of a base item and at least one optional item, as recited in claims 2, 3, 9, 11, 19, 20 and 22.

Claims 2, 3, 15 and 19-22 further recite, in part:

when touching keys for the [predetermined] set of articles in said item key unit displaying and registering the base item from a selected set and pop-up displaying over the initially displayed screen on the display unit, simultaneously with the display and registration of the base item, a touch panel formed of item keys, each item key corresponding to an individual optional item in the selected set.

The Office Action asserted that Mueller discloses a pop-up display optional touch panel in Fig. 13, item 274, disclosed in column 17, lines 20-30 of Mueller, as a “special order box”. See page 2, lines 20-23 of the Office Action. However, Mueller does not disclose that the special order box is displayed when the customer touches the key for a predetermined set of articles. In contrast, Mueller discloses that the special order box can be selected after the customer has selected at least one item from one of the menus during the running of the main program. Upon selection of the special order box in Mueller, the last item selected, which is normally the last item listed on the video receipt, is highlighted, and special order options for that item are displayed on the display screen next to the video receipt. See column 17, lines 21-28 of Mueller.

As such, the Applicants respectfully submit that the special order box does not result from touching keys for the menu items. Thus, there is no disclosure or suggestion in Mueller that when touching keys for the predetermined set of articles in the item key unit, simultaneously with the display and registration of the base item, a touch panel formed of item keys is displayed. In contrast, the display and registration of the menu item in Mueller occurs separately from the display of the special order box. See column 17, lines 21-24 of Mueller.

Further, in order to make a special order, the last item listed on the video receipt must be highlighted and then the customer selects the special order options in Mueller. See column 17, lines 24-28 of Mueller. As such, Mueller fails to disclose or suggest at least a combination of features of when touching keys for the predetermined set of articles in the key unit, displaying and registering the base items from a selected set and pop-up displaying over the initially displayed screen and the display unit, simultaneously with the displaying and registration of the base items, an touch panel is formed of item keys, as recited in claims 2, 3, 15 and 19-22.

Claims 16-18 recite, in part, a first ten key unit for inputting the number of ordered commodities in an order inputting screen and a second key unit for inputting an amount of money deposited by the customer in an account screen. However, the Applicants respectfully submit that there is no disclosure or suggestion in Mueller of two different ten key units in different screens as recited in claims 16-18.

To qualify as prior art under 35 U.S.C. § 102, each and every feature recited in a rejected claim must be disclosed by the applied art. Accordingly, Mueller does not anticipate claims 2, 3, 9, 11, and 15-22, nor are claims 2, 3, 9, 11, and 15-22 obvious in

view of Mueller. In particular, the Applicants further submit that there is no disclosure or suggestion in Mueller to modify its disclosed system to teach the features of the invention as recited in claims 2, 3, 9, 11, and 15-22. As such, the Applicant submits that claims 2, 3, 9, 11, and 15-22 are allowable over Mueller.

### **Further Considerations**

The present invention is directed to a panel displaying method of a POS terminal that has a display unit integrated all the inputting key functions as a touch panel.

To this end, claim 2 of the present invention recites, in part, initially displaying a touch panel laid out integrally in an initially displayed screen, the touch panel including an item key unit, a function key unit and a ten key unit.

The POS terminal having such a display unit of the present invention omits input key facilities that are physically detached from the display unit. Accordingly, the POS terminal contributes to effective use of counter space where the terminal is placed, such as a fast-food shop.

As a result of the claimed invention, a display is provided to enable the operational convenience of the POS terminal. In particular, claim 2 of the present invention recites, in part, when touching keys for the predetermined set of articles in said item key unit, 1) displaying and registering the base item from a selected set and 2) pop-up displaying over the initially displayed screen on said display unit, simultaneously with the displaying and registration of the base item, an optional touch panel formed of optional item keys, each optional item key corresponding to an individual optional item in the selected set so that at least one optional item can be selected from such plurality of optional items, said at least one optional item being essential to complete the

selected set; and when touching a selected one of the optional item keys on the optional touch panel corresponding to at least one optional item, displaying and registering said at least one optional item along with registered and displayed base item thereof.

Further, as a result of the claimed invention, the user accurately and smoothly receive an order for at least one optional item derived from an order of a set of articles. For example, as recited in at least claim 2 the present invention prevents not only an incorrect registration of a base item but also an incorrect choice of an optional item. Also, based on the pop-up displayed optional touch panel, the user can advise a customer about selectable optional items without having to have knowledge about the optional items.

Further, claim 3 recites that until after the number of the selected and registered optional items reaches a predetermined value corresponding to a number of selectable optional items for the ordered set, which number is set before said pop-up displaying of said touch panel, holding said pop-up displaying of said touch panel on the display unit. As a result, the present invention, as recited in at least claim 3, prevents the user from making an incorrect numeric choice of optional items. Therefore, the claimed invention contributes to an accurate and smooth order receiving activities by a user according to the merchandise line of the shop.

### **Conclusion**

The Applicants respectfully submit that claims 2, 3, 9, 11, and 15-22 are allowable. Claims 4 and 14 depend from claim 2 and claim 13 depends from claim 3. The Applicants further submit that each of these claims incorporate the patentable aspects thereof, and are therefore allowable for at least the same reasons as discussed

above. Accordingly, the Applicants respectfully request withdrawal of the rejections, allowance of claims 2-4, 9, 11 and 13-22 and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 107342-00002.**

Respectfully submitted,



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Enclosure: Petition for Extension of Time (one-month)